

In re Patent Application of:

LEAMING

Serial No. **10/828,747**

Filed: **April 21, 2004**

REMARKS

The Examiner is thanked for the thorough examination of the present application, and for correctly indicating the allowability of the subject matter of Claims 2-10, 12-20, 22-23, and 32-38. Applicant also wishes to thank the Examiner for the courtesies extended to the undersigned attorney during the telephonic interview on July 13, 2007. During the interview, the rejection of independent Claims 1, 11, 21, and 31 over Maier in view of Tello was discussed. To further prosecution, the undersigned attorney offered to amend these claims to more clearly define the subject matter thereof over the prior art. The proposed amendments were well received by the Examiner, and these amendments have been incorporated in the independent claims herein.

In view of the amendments and the arguments presented in detail below, it is submitted that all of the claims are patentable.

I. The Claimed Invention

The present invention is directed to an integrated circuit for a smart card. As recited in amended independent Claim 1, for example, the integrated circuit includes a transceiver and a processor for communicating with a host device via the transceiver and performing a plurality of smart card applications. More particularly, the processor is for cooperating with the host device to perform an enumeration based upon at

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least one default descriptor, generating an initial look-up table for allocating data to respective smart card applications based upon the enumeration, and detecting a system event. Furthermore, responsive to the system event, the processor cooperates with the host device to perform a new enumeration based upon at least one alternate descriptor, and generates a new look-up table based thereon having a different allocation of data to respective smart card applications than the initial look-up table.

Independent Claim 11 is directed to a related smart card, and independent Claim 21 is directed to a related smart card system. Furthermore, independent Claim 31 is directed to a related method for operating a smart card for performing a plurality of smart card applications.

II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 11, 21 and 31 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Pub. No. 2005/0251596 to Maier in view of U.S. Patent No. 6,463,537 to Tello. Maier is directed to a USB system that includes a main device and an auxiliary device (e.g., a USB smart card) arranged to co-operate with each other. The auxiliary device is arranged to effect a core functionality. The auxiliary device comprises descriptors. The system is characterized in that the auxiliary device comprises at least one descriptor that defines a functionality that is different from the core functionality. See, e.g., paragraphs 0016 through 0020 of Maier.

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The Examiner correctly acknowledges that Maier fails to teach or fairly suggest generating a look-up table for allocating data to respective smart card applications based upon the enumeration, and detecting a system event and, responsive to the system event, performing a new enumeration in cooperation with the host device based upon at least one alternate descriptor and generating a new look-up table based thereon, as recited in the above-noted independent claims. However, the Examiner contended that Tello provides the noted deficiencies.

Tello is directed to a personalized computer with a unique encrypted digital signature which will not boot up or recognize any data storage or communication peripheral devices without a matching personalized smart card containing a complementary encrypted digital signature. A modified BIOS (Basic Input Output System) replaces the standard BIOS of a motherboard and allows a security engine microprocessor to take over preboot control of the computer from the motherboard CPU (Central Processing Unit), configures and operates the encryption-based security system, and enables or disables selected data storage devices and other user-selectable peripherals upon start up and shut down of the computer. Upon power up, reset or interrupt of the computer, the microprocessor looks for, and if present, reads from the smart card in the smart card reader which is logically connected to the security engine microprocessor. A software program compares a unique digital signature placed in the smart card to a digital signature assigned to the computer. If these

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two digital signatures are complementary, the boot up procedure is allowed to continue as is access to the computer up to a predetermined level depending on the level of access configured on the smart card. See, e.g., col. 4, line 57 through col. 5, line 48 of Tello.

As support for the Examiner's contention, she points to col. 9, lines 26-31 of Tello. This passage is reproduced below for convenience of reference:

"An encrypted table of smart card code numbers are also stored in the flash memory of the security engine. This table is used during the operation of the invention to identify the purpose and type of smart card inserted in the smart card reader which is logically connected to the security engine." Tello, col. 9, lines 26-31.

As noted above, independent Claims 1, 11, 21, and 31 have been amended to recite generation of an initial look-up table, and that the new look-up table generated responsive to a system event has a different allocation of data to respective smart card applications than the initial look-up table. As discussed during the above-noted telephonic interview, the table of smart card code numbers stored in the flash drive of the Tello device merely identify a single device type that the smart card is to be configured as each time it is enumerated. That is, the Tello device is configured the same way each time it is connected to a host device with the same allocation of data to respective

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smart card applications. To the contrary, as discussed at paragraphs 0044-0045 of the originally filed application, for example, by re-enumerating and generating a new-look up table with a different allocation of data to respective smart card applications, the smart card recited in the above-noted independent claims may advantageously use a more efficient configuration given the current host and/or bus constraints.

Accordingly, none of the prior art of record teaches all of the recitations of independent Claims 1, 11, 21 and 31. Moreover, the results of the novel claim configuration are not predictable from any of the teachings of the prior art, nor is there any proper teaching, suggestion, or motivation in the prior art to combine the references to achieve the claimed invention. As such, it is respectfully submitted that these claims are patentable over the prior art.

III. CONCLUSIONS

In view of the foregoing, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

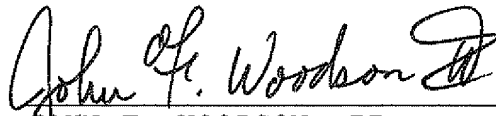
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Respectfully submitted,



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